IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 6TH NOVEMBER, 2007 / 15TH KARTHIKA, 1929

WP(Crl.).No. 259 of 2007(S)

PETITIONER:

ANEESH P., S/O. PRASAD,
AGED 24 YEARS, PAVITHRAM, KANNANKARA,
PERUNKUNNAM POST, ATTINGAL, THIRUVANANTHAPURAM.

BY ADV. SRI.S.SUDHEESHKAR
SRI. K.SIJU
SRI.PRATHEESH.P

RESPONDENTS:
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1. THE DISTRICT SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM.

2. THE CIRCLE INSPECTOR OF POLICE,
KADAKKAVOOR POLICE STATION,THIRUVANANTHAPURAM DISTRICT.

3. RAJAN,
RAJ NIVAS, KEEZHATTINGAL P.O.,
ATTINGAL, THIRUVANANTHAPURAM.

4. RAJESH,
B.S. MANZIL, NEAR BHARATH OFFSET,
MANGALAPURAM P.O., KAZHAKUTTAM.

5. RAJEEV,
B.S. MANZIL, NEAR BHARATH OFFSET,
MANGALAPURAM P.O., KAZHAKUTTAM.

R1 & R2 BY GOVT. PLEADER SRI.THOMAS JOHN AMBOOKEN.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

(WP(Crl) No.259 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the complaint along with receipt dtd.29.10.07.

-True Copy-

P.A.to Judge.

P.R.RAMAN & V.K.MOHANAN, JJ.

W.P(Crl.).No. 259 of 2007 - S

Dated this the 6th day of November, 2007

J U D G M E N T

Raman,J:

Petitioner seeks for issuance of a writ of habeas corpus. It is alleged that Rajani, the alleged detenue is in love with the petitioner and they have decided to marry on attaining the majority. But, the parents of the girl are not willing to perform the marriage and she is alleged to be under the illegal custody of her parents. Pursuant to the notice issued, parties appeared. We have interacted with the alleged detenue Rajani. She told us that she is now continuing her studies for B.Sc.Botany and she does not want to discontinue her studies. She also states that she is a free person and she is not under illegal custody of her parents. She also submits that only after her studies are completed, she will take a decision regarding her marriage.

2. The petitioner wants an opportunity to talk the alleged detenue and we accorded permission. Thereafter,

the matter was again taken up and she maintained her stand.

3. In the circumstances, the writ petition is disposed of as follows:-

1. The alleged detenue Rajani, having attained majority, submits that she is not under illegal custody of her parents. So she is set free to go along with her parents.

2. We further direct the third respondent-father of the alleged detenue Rajani not to force Rajani for any marriage against her will and consent. In case of any complaint, it is open to the parties to approach the authorities concerned.

P.R.RAMAN, JUDGE

V.K.MOHANAN, JUDGE

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED: 07-09-2007

This is disposed of as above.

P.R.RAMAN,
Judge

V.K.MOHANAN,
Judge

Mbs/

V.K.MOHANAN, J.

O.P.NO. OF 2001

J U D G M E N T

DATED: -0-2007